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Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the International Commission on Zoological Nomenclature

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BULLETIN OF ZOOLOGICAL NOMENCLATURE

Volume 10, Part 6 (pp. 167-198)

1st July 1953

CASE No. 6

**DOCUMENTS RELEVANT TO THE CONSIDERATION
OF THE STATUS TO BE ACCORDED TO A TRIVIAL
NAME, WHICH WHEN FIRST PUBLISHED, WAS STATED
TO BE A SUBSTITUTE FOR A PREVIOUSLY PUBLISHED
NAME BUT WAS IN ADDITION APPLIED TO A
PARTICULAR SPECIES OR TO PARTICULAR SPECI-
MENS IN CASES WHERE THE SPECIES CONCERNED
DIFFERS FROM THAT TO WHICH THE EARLIER
NAME IS APPLICABLE**

DOCUMENT 6/1

ORIGIN OF THE PRESENT INVESTIGATION

The present investigation into the status to be accorded to a trivial name which, when first published, was stated to be a substitute for a previously published name but was in addition applied to a particular species or to particular specimens in cases where the species concerned differs from that to which the earlier name is applicable was undertaken in response to a request addressed to the Secretary to the International Commission on Zoological Nomenclature at Paris in July 1948, when, after giving preliminary consideration to applications submitted respectively by Dr. W. J. Arkell (Document

6/3) and Dr. H. E. Hinton (Document 6/4), the International Commission agreed to recommend (1950, *Bull. zool. Nomencl.*, 4 : 499-502) :—

“that the Secretary to the Commission should be invited to make a thorough study, in consultation with interested specialists, of the problems arising under Article 31 in relation to the identity of the species to which a given specific name applied, where that name was based partly upon specimens and partly upon a description previously published for a nominal species, the name of which or, as the case may be, the name applied to which by a previous author, was rejected by the author of the new name, either because the name so used by the previous author was an unavailable name or because, when originally published, it had been applied to some other species.”

2. The foregoing recommendation, with other recommendations, was submitted to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology at its Sixth Meeting held on 26th July, 1948 (1950, *Bull. zool. Nomencl.*, 5 : 115-116).

DOCUMENT 6/2

GENERAL CONSULTATION WITH SPECIALISTS AND ISSUE OF AN APPEAL FOR ADVICE IN 1953

Editorial Note : Attention was drawn to a review by the Secretary to the International Commission on Zoological Nomenclature of the problems involved in the application of a trivial name which, when first published, was both treated as a substitute for a previously published name and in addition was applied to a particular species or to particular specimens which was published in March, 1952 (*Bull. zool. Nomencl.*, 7 : 119-130). This review contained an appeal to specialists to assist in the present investigation by furnishing statements of their views on the action which it was desirable should be taken. It was in response to this appeal that the majority of the documents now submitted was furnished.

The questions asked of specialists in the foregoing paper may be summarised as follows :—

- (a) *A name published as a substitute name but based also on a species different from that to which the rejected name applies :*
 - (1) Should such a name be treated as having been given to a composite species, and the species to which the new trivial name applies be left to selection by the first reviser ? OR
 - (2) Should the rule be in such a case that two nominal species have been established with identical names, the first that to which the rejected name correctly applies, the second, that to which the description and/or figure(s) apply ? OR
 - (3) Should the new trivial name be treated as applying automatically to the species bearing the rejected name, irrespective of all other considerations ?
- (b) *A name which, when published, is directly applied to a given species but, in addition, is treated implicitly as being a substitute for a previously published name :*
 - (1) In such a case, should the only specimens eligible for selection as the lectotype be that specimen or those specimens which the earlier author had described and/or figured in the work cited by the author of the new name ? OR
 - (2) Should the rule suggested in (1) above be limited to cases where the word of which the new trivial name is composed or on which it is based is the name of the locality in which were obtained the specimens described by the earlier author and referred to be the author of the new name ?

DOCUMENT 6/3

By **W. J. ARKELL**, M.A., D.Sc., F.R.S. (*Sedgwick Museum, Cambridge University, Cambridge*)

Enclosure to a letter dated 6th February, 1945

PROPOSALS RELATING TO THE SPECIMEN WHICH SHOULD BE ACCEPTED IN CERTAIN CIRCUMSTANCES AS THE TYPE SPECIMEN OF A SPECIES TO WHICH A SUBSTITUTE NAME IS GIVEN

This application arises in connection with new species made in V. Maire, 1938 (*Contribution à la connaissance des Cardioceratides, Mem. Soc. Géol.*

France, N.S., Tome xv, memoire 34, pp. 1-132, pls. 1-20) but a decision is sought as guidance in all similar cases in which an author designates no type specimens.

2. Maire's new species are of five kinds :—

- (a) Based on newly-figured specimens only, and called "sp. nov."
- (b) Based on newly-figured specimens, plus a citation of a previous author's reference and figure(s), and called "sp. nov.", and bearing a name giving no indication which specimen is favoured by Maire as type.
- (c) Based on newly-figured specimens plus a citation of previous author's reference and figure(s), and called "sp. nov.", but given a new specific name dedicated to the previous author cited: *i.e.*, formed upon his personal name, or upon the name of his locality.
- (d) Based on newly-figured specimens plus citation of a previous author's reference and figure(s) and called "nom. mut.," as well as given a specific name dedicated to the previous author (as in (c)).
- (e) Based on newly-figured specimens plus citation of a previous author's reference and figure(s) and called "nom. mut.," but given a new specific name not dedicated to the previous author or his locality.

3. In the event of Maire's newly-figured specimens being found to differ specifically from those of the previous author cited, the reviser has to select a type for Maire's new name. In any case it is always desirable to do so, since the material often comes from different countries, and differences not considered specific by Maire may eventually turn out to be more important than he supposed and require a revision of the concept of his species.

4. Cases (a) and (b) cause no difficulty and any figured specimen can be selected as the lectotype by the reviser.

5. Cases (c), (d), (e) are doubtful. In the category (c), are *Quenstedtoceras lorioli* Maire (p. 36) sp. nov., *Cardioceras uhligi* Maire (p. 68) sp. nov., *C. douvillei* Maire nov. var. I submit that in these cases the types should be the earlier figures cited, published by de Loriol, Uhlig, and Douville respectively, on account of the indication given by the new specific name. In the category (d) are *Q. douvillei* Maire (p. 49), *Q. quenstedti* (p. 27), *Q. orbignyi* (p. 13), *Q. sintzowi* (p. 13), *Q. weissermeli* (p. 35), *C. bodeni* (p. 118), *C. bukowskii* (p. 64), *C. ilovaiskyi* (p. 79), *C. lahusei* (p. 66), *C. neumanni* (p. 79), *C. reesidei* (p. 61), all called "nom. mut." All are set out as follows, *e.g.* :—

"*Cardioceras Reesidei* nom. mut.

Pl. VII, figs. 5, 6.

1919 *Cardioceras cordiforme* (Meek & Hayden) J. B. Reeside (pars). Some American Jurassic Ammonites, p. 51, pl. viii, figs. 4-7."

I submit that in these cases the types should be one of the earlier cited figures, published by the authors after whom the species are named; for two reasons:—(1), for the same reason as under (c) above, it is undesirable that (e.g. in the case quoted) the type of *C. reesidei*, named after an American author, should be a French specimen; and (2) because if “nom. mut.” has any meaning it is synonymous with nom. nov., and the first mention of a new specific name coupled with nom. nov. is usually interpreted as a new name for an earlier-described species; in other words, only the name is new, not the species. In category (e) are *C. gallicum* Maire (p. 81) nom. mut., and others. I submit that in these cases the types should be chosen from the earlier cited figures, for the same reason as under (d) 2 above.

6. Since this application raises a matter of principle which may affect all workers, it seems desirable that a decision should be given as soon as possible. I propose something on the following lines:—

“1. The terms nom. nov. and nom. mut., in the absence of any type-designation by the author of the new name, shall be taken to indicate that the name only is changed and that the species is therefore the same as that referred to and already described or figured by a previous author. The type specimens are therefore those described or figured by the previous author, notwithstanding any new material figured by the author of the new name.”

2. *Recommendation.* When the expressions nom. nov. or nom. mut. are not used but the new specific (or generic) name is based upon the personal name of the previous author whose figures are referred to, or upon his original locality, those previous figures should be selected as types in the absence of any indication to the contrary.”

7. As a consequence following upon paragraph 6, it might be useful to add a further “Recommendation” somewhat as follows:—

3. *Recommendation.* In introducing a new specific name for a species believed to be identical with one already figured in the literature but wrongly identified, it is desirable that the terms “nom. nov.” or “nom. mut.” should be avoided, unless the previous author’s figures and descriptions are ideal from the point of view of identification, being, in fact, better than can be supplied from the new material. For similar reasons, a new name should not be formed upon the previous author’s personal name or upon the name of the locality where his material was obtained unless it is intended that his figures should represent the types.

DOCUMENT 6/4

By H. E. HINTON, Ph.D.

(then of the *British Museum (Natural History)*, London,
now of *Bristol University*)

REQUEST FOR A RULING ON THE INTERPRETATION TO BE GIVEN TO
THE NAME "PTINUS TECTUS" BOIELDIEU 1856, A NAME PUBLISHED
PARTLY FOR CERTAIN SPECIMENS AND PARTLY AS A SUBSTITUTE
NAME FOR A PREVIOUSLY PUBLISHED NAME.

Letter dated 6th February, 1945

I would like to have a ruling on the validity of the name *Ptinus tectus* Boieldieu, 1856 (*Ann. Soc. ent. Fr.* (3) 4: 652) in view of the fact that Brown 1944 (*Canad. Ent.* 76: 9-10) does not agree with my analysis of the case (1941, *Bull. ent. Res.* 31 (4): 357-369) which was as follows:—

"Under the name *Ptinus tectus*, a Tasmanian insect was described by Boieldieu (1956) which is clearly from the description a true *Ptinus* and has subsequently—by comparison with the type (Beare, 1904, *Ent. mon. Mag.* 15: 4-5)—been shown to be identical with the cosmopolitan insect known under this name. Boieldieu erroneously gives *Ptinus pilosus* White (1846) as a synonym of *Ptinus tectus* Boield., and later states that he is obliged to rename "this species" on account of its being a homonym of *Ptinus pilosus* Muller (1821) Blair (1928) has shown that *P. pilosus* White is not a Ptinid but an Anobiid which belongs in the genus *Dorcatoma*. The description of *P. tectus* was clearly based on a species of *Ptinus* actually examined by Boieldieu but wrongly determined by him as the Anobiid, *Ptinus pulosus* White. Boieldieu in effect did two things: (a) described a new species, *Ptinus tectus* [his description on p. 652 begins '46. Pt. tectus Mihi']; and (b) renamed *Ptinus pilosus* White (1846) (nec. *Ptinus pulosus* Muller, 1821) as *Ptinus tectus*. *P. tectus* Boield. (a) is not identical with *P. tectus* Boield. (b). The two names are homonymous, therefore *P. tectus* (b) over which *P. tectus* (a) has place priority must be renamed again. I herewith propose the name *Ptinus pilosellus*, nom. nov. = *Dorcatomo pilosellus*."

Brown (1929, *Canad. Ent.* 61 : 109) described *Ptinus ocellus*. Hatch (1933, *Bull. Brooklyn ent. Soc.* 28 : 200-202) points out that *ocellus* is a synonym of *tectus*. Brown (1940, *Canad. Ent.* 72 : 120) agrees but says that his name must nevertheless be retained, as *P. tectus* is not a valid name. Hinton (1941), as quoted above, sunk *ocellus*. Brown (1944, *Canad. Ent.* 76 : 9-10) says : "Hinton rejects the name *ocellus* Brown and insists on applying the name *tectus* Boield. to the present species. This, as I have already pointed out (1940), is contrary to Article 31 of the International Rules of Zoological Nomenclature, and the synonymy must stand as given above [i.e. *ocellus* being the correct name]. There is no question of priority concerned in the writings of Boieldieu as is suggested by Hinton."

I would like to know whether Article 31 applies in this case.

DOCUMENT 6/5

By R. CASEY (*Geological Museum and Survey, London*)

Letter dated 7th February, 1952

THE APPLICATION TO BE GIVEN TO A TRIVIAL NAME WHICH, WHEN FIRST PUBLISHED, WAS BOTH APPLIED TO A PARTICULAR SPECIES OR TO PARTICULAR SPECIMENS AND ALSO STATED TO BE A SUBSTITUTE NAME FOR SOME PREVIOUSLY PUBLISHED TRIVIAL NAME OR IS CLEARLY IMPLIED TO BE SUCH A SUBSTITUTE.

I have read with great interest your paper on the above subject and note therein that specialists are asked to furnish examples of cases in which a specific name, when first published (i) was expressly stated to be a substitute name for some previously published specific name, and (ii) was also accompanied by a description of a given species (or of specimens belonging to a given species) different from that to which the rejected specific name is correctly applicable. Three such cases have come to my notice recently in the course of research in fossil Mollusca; two are afforded by nominal species proposed by L. W. Collet in 1908 for certain Ammonoidea, and the third concerns the lamellibranch species *Psammobia impar* Zittel, 1865. Consideration of Collet's ammonite species is complicated by special features which make it desirable that the facts relating to these species should be laid before the Commission in a separate communication. The present note therefore deals with the present problem only as it arises in connection with *Psammobia impar*, Zittel. This is itself an important case, *Psammobia impar* being the type species, by original designation, of the nominal genus *Icanotia* Stoliczka, 1870; it is doubly desirable therefore that there should be no doubt as to the taxonomic species to which the trivial name *impar* correctly applies. The facts of the case are as follows.

Psammobia impar was proposed by Zittel in 1865 as a substitute name for *Capsa elegans* d'Orbigny, 1844, which became a junior homonym of *Solen elegans* Matheron, 1842, on transference of both nominal species to the genus *Psammobia* by Zittel. Simultaneously with its publication the new name *Psammobia impar* was applied by Zittel to specimens from the Gosau formation of Austria, and one such specimen was illustrated as plate ii, figure 4 of Zittel's paper (Zittel, 1865, *Denksch. Akad. Wien*, 24: 120-21).

The specimen illustrated by Zittel as *Psammobia impar* from the Gosau formation is not conspecific with d'Orbigny's *Capsa elegans*, which was founded upon a specimen from the Cenomanian of Le Mans, France (d'Orbigny, 1844, *Pal. franc.*, Terr. Cret. 3: 423, pl. 381, figs. 1-2).

The manner in which the name *Psammobia impar* (now *Icanotia impar*) has been applied by subsequent workers is illustrated by the following :

(a) Stoliczka in 1870 proposed *Psammobia impar* Zittel as the type species of a new nominal subgenus (now genus) *Icanotia*, but without qualifying Zittel's name (Stoliczka, 1870, *Pal. indica*, Cret. Fauna S. India, 3 : 145). He figured the hinge of a Gosau specimen under the name *impar* (*ibid.*, pl. 17, fig. 5), but at the same time he appears to have regarded *Psammobia impar* merely as a substitute name for *Capsa elegans* d'Orbigny, for on an earlier page (*ibid.* : 122) he had written : "*impar*, Zittel (= *elegans*, d'Orb.)", and in a footnote added : "d'Orbigny's name *elegans* was changed into *impar* by Zittel, who identifies the Gosau with the French species, although, judging from the figures, there are considerable differences between the two."

(b) Zittel in 1895, in his textbook of palaeontology (*Grundzüge der Palaeontologie*) illustrated *Icanotia impar* by a specimen of the Gosau species. This illustration has been repeated in all the many editions and translations of this well-known text-book.

(c) Dall in 1903, writing of *Icanotia*, added : "Type : *Psammobia impar* Zittel, Gosau (Dall, 1903, Tertiary Fauna Florida : 1324).

(d) Wade in 1926 (U.S. Professional Paper 137 : 91), listing various species of *Icanotia*, quoted as two distinct species (i) *Icanotia impar* (Zittel), Gosau, Austria, and (ii) *Icanotia elegans* (d'Orbigny), Le Mans, France.

In reviewing the above examples, it becomes evident that (1) specialists have long recognised that the name *Psammobia impar* is concerned with two distinct taxonomic entities, i.e., (i) the species from the Cenomanian of France, originally described by d'Orbigny as *Capsa elegans*, and for which Zittel supplied the nominal substitute *Psammobia impar*, and (ii) the Gosau species attributed to *Psammobia impar* by Zittel and of which plate ii, figure 4 of his 1865 paper is illustrative ; and (2) that there has been a tendency on the part of such specialists to restrict the name *impar* to the Gosau species, rather than to the French Cenomanian form for which the name *impar* was clearly proposed as a trivial nominal substitute.

In my opinion, the interpretation placed upon *Icanotia impar* by, for example, Wade (see (d) above) is undesirable. I would advocate that the facts of this case be analysed and interpreted as follows : In 1865 Zittel carried out two independent actions in regard to the subject under discussion ; (1) he supplied a substitute name, *Psammobia impar*, for d'Orbigny's *Capsa elegans*, and (2) he identified certain specimens, from the Gosau formation with the d'Orbigny species, the name of which he had replaced. As an objective fact following automatically upon (1) the nominal species *Psammobia impar* Zittel has for type the original of d'Orbigny's plate 381, figures 1-2, this being the type specimen of *Capsa elegans* d'Orbigny. Determination of the Gosau specimens is a subjective matter ; in assigning them to *Psammobia impar* Zittel was in error ; they belong to a different and as yet unnamed species.

Consideration of the facts relating to *Psammobia impar* shows that, as in the case of *Ptinus tectus*, instanced in your paper, divergent views are held concerning the problem of interpretation of this nominal species; and clearly a need exists for a rule of general application for the guidance of specialists who may be faced with a problem such as that presented by *Psammobia impar* and *Ptinus tectus*.

From the remarks above concerning *Psammobia impar* I have made it clear that I am in favour of the third of the three interpretations of this problem set out in your paper on the subject. That is to say, I take the view that if a name is unequivocally published as a substitute for some other name, the new name so published should adhere in all circumstances to the taxonomic species to which the rejected name is applicable. I regard it as irrelevant from a nomenclatorial point of view if the author of the new name at the same time erroneously applies that name to a species other than that to which the rejected name is legitimately applicable.

Turning to the questions raised in paragraph 17 of your paper, I wish to state that I am in sympathy with the proposal submitted to the Commission by Dr. Arkell, but I would prefer to see that proposal given expression in the form of a non-mandatory *Recommendation*.

DOCUMENT 6/6

By **G. H. E. HOPKINS, O.B.E., M.A.**

(*British Museum (Natural History), Zoological Museum, Tring, Herts.*)

Enclosure to a letter dated 25th March, 1952

THE APPLICATION OF A TRIVIAL NAME WHICH, WHEN FIRST PUBLISHED, IS APPLIED TO A PARTICULAR SPECIES OR SPECIMEN, BUT WHICH IS STATED ALSO TO BE A SUBSTITUTE NAME FOR SOME PREVIOUSLY PUBLISHED NAME.

When the question of the correct application of a trivial name which, as first published, applied both to material that its author had before him and to material described by an earlier author (for which it is stated to be a substitute name) was discussed at Paris, two views were expressed. Dr. W. J. Arkell considered (*Bull. zool. Nomencl.* 4 : 499) that if the author of the specific name gave an indication "such as the use of the expression '*nom. nov.*' (or an equivalent expression) or the selection as the basis for the new trivial name either of the personal name of the author to whose work a reference has been given, or of the name of the type locality of the species, which implied that the species thus given a new name was more closely linked to the material to which the cited bibliographical reference applied than to the new material before the author at the time when he published the new name", then the material the author actually had before him should be excluded from consideration when a lectotype is selected. Dr. H. E. Hinton (*l. c.* : 500) considered that the selection of a lectotype should be governed by page-precedence. Both of these views seem to me to be incorrect, and I am strongly of the opinion that this is not a matter on which the International Commission should make regulations, though it would be appropriate that they should make recommendations.

It seems to me that it is an obvious principle that one must, so far as possible, be governed by what an author did rightly and not by his mistakes. In the type of case under discussion the second has described (presumably accurately) material that he had before him, and misidentified it with the material described by the earlier author; either the procedure advocated by Dr. Arkell or that recommended by Dr. Hinton might easily mean that we must be guided by the mistake and not by what is correct. Furthermore, any mandatory regulations governing the selection of a lectotype in such cases could easily result in a most undesirable and absurd state of affairs. Let us assume that (at the same time as the second author renames the material that he wrongly thinks to be the species described by the earlier author) he also

names and describes a new genus of which he makes it the type species, and that subsequent investigation shows that the two species concerned are not congeneric. Then any mandatory regulations to the effect that the material the second author actually had before him should be excluded from consideration in selecting a lectotype would obviously result (since the generic description would have been drawn up from this excluded material) in the absurdity that the genus would have a type species that did not comply with the generic description, while selection on the principle of page-precedence would make it a matter of chance whether this result would follow or not.

A secondary consideration is that it is usually the case that the later author's description is more diagnostic than that of the earlier author, so that it is commonly far more convenient to regard his material as the type material of the name than that of the earlier author. It is not infrequently the case, if the specimens used by the earlier author are lost, that one can say with some certainty that his species was not that before the second author, but cannot decide with any confidence what it actually was.

I agree with Dr. Arkell in thinking that a geographical name (or, in the case of a parasite, a name based on that of a host) should be considered to be a restriction by the original author of the name in question. But in all other cases I suggest that it is most desirable that the subsequent reviser should be left free to select to bear the name whichever element of the composite nominal species seems best and most convenient. In considering the names given by Linné to Mallophaga, several of which are composite, Miss T. Clay and I (1950, *Bull. Brit. Mus. nat. Hist.*, Entomology 1 : 223-272) have taken the view that, in the absence of any strong reasons to the contrary, all names referring to nominal species that are composite should be restricted to the material actually examined by the author of the name.

Summing up, I strongly deprecate any mandatory provisions being made by the Commission as to the selection of a lectotype in such cases, but I consider that the use by the second author of a name based on the type locality of the species, or the type host of a parasitic species, should be regarded as an original restriction, and I advocate a *Recommendation* that (unless there are strong reasons to the contrary) revisers should select a lectotype in all other instances in such a way that the name will apply to the material the author of the name actually had before him and not to the species which he erroneously thought he had.

DOCUMENT 6/7

By **LESLIE BAIRSTOW**, M.A. (*British Museum (Natural History), Department of Geology, London*)

Letter dated 29th March, 1952

**REPLY TO QUESTIONNAIRE, BULL. Z. NOMENCL. 7 : 127-130.
Z.N. (S.) 361**

Case (a). Paragraph 13.

(1) I cannot recall any instance in dibranchiate cephalopods in which a specific name, when first published, was expressly stated to be a substitute name for some previously published specific name, and was also accompanied by a description of a given species (or of specimens belonging to a given species) different from that to which the rejected specific name is correctly applicable.

It may, however, be of interest to draw attention to a somewhat comparable instance at generic level. Parkinson, 1811 (*Organic Remains of a Former World* 3 : 110) established the generic name *Spirulites*. This name was expressly stated to denominate fossil *Spirula*. Parkinson stated that "The fossil shells of this genus appear to resemble *Spirula fragilis*, Lam. *Nautilus spirulus*, Linn." [i.e., *Spirula spirula* (Linnaeus)] "very closely, except in size" . . . "the fossil shells being so much larger, as almost to warrant a specific distinction founded on this circumstance alone." No other specific name was mentioned, but several specimens of *Spirulites* were figured (pl. VI, fig. 11 and pl. VII, figs. 18, 19). From the figures and the localities stated it seems that the fossil specimens studied by Parkinson do not fall within the limits of the genus *Spirula* as now interpreted. In this instance it seems clearly desirable to regard *Spirulites* Parkinson, 1811, as an objective synonym of *Spirula* Lamarck, 1799 (*Mém. Soc. Hist. nat. Paris* 1799 : 80), even though the specimens to which Parkinson applied the name *Spirulites* are not now regarded as *Spirula*. Neave's Nomenclator recorded *Spirulites* Parkinson, 1811, as "pro -la Lamarck 1799".

(2) I favour possible ruling (c) : that the new specific name in question is to be treated as applying automatically to the species bearing the rejected name, the other use of the new name being treated as having been due to a misidentification.

Case (b). Paragraph 17.

(1) Yes.

(2) In these circumstances, if the material on which the publications concerned are based includes material from the locality indicated by the new specific name, only this material should be eligible for selection as lectotype

of the new nominal species; but such material from this locality, even if material published only by the new author, should not be excluded from selection. It is only when the new author's new material does not include, though the earlier author's material does include, material from this locality, that it is implied with adequate force that the new name is indeed intended primarily as a substitute for the earlier name.

DOCUMENT 6/8

By **G. KRUSEMAN** (*Zoologisch Museum, Amsterdam, The Netherlands*)

SUBSTITUTE NAMES (REFERENCE Z.N. (S.) 361)

In connection with your enquiry in *Bull. zool. Nomencl.*, Vol. 7, Part 4, I am communicating to you that I found an example of the *Ptinus tectus* type.

White renamed *Apis arcticus* Dahlbom 1832 *nec* Kirby 1821 (and *nec* Quensel 1802) *Bombus Smithianus* in connection with the publication of some localities in the Shetland Islands.

Apis arcticus Dahlbom however belongs to *B. agrorum* and was redescribed by me (not knowing that White had already renamed it) from the lectotype as *B. agrorum erlandsoni* Kruseman, 1950.

The specimen of the Shetland Islands are not forms of *B. agrorum*, but of *B. smithianus* auct. (contingent forming with *Bl. muscorum* auct. (*nec* L.) one super-species). It is clear *B. smithianus* never being used for *B. agrorum erlandsoni* Kruseman, that it would create confusion, if we had to use the name in this sense. The type specimens of *smithianus* are probably in London Brit. Mus.N.H. The lectotype of *Apis arcticus* Dahlbom is in Lund.

DOCUMENT 6/9

By Dr. **HALTENORTH** (*Museum, München, Germany*)

Statement, dated 14th May, 1952, communicated by
Professor E. M. HERING

V. B.1 ist verzu ziehen.
"D". Nein.

Explanatory Note

The foregoing comment was prepared by Dr. Haltenorth in response to an invitation by Professor E. M. Hering who had prepared the following synopsis of the problems at issue for consideration by German zoologists. It is to this document that the numbers cited by Dr. Haltenorth refer.

IV. Verwendbarkeit von MS.-Namen als Gattungstypen, wenn der Genusname vor 1931 erstmals in der Synonymie eines anderen Gattungsnamen veröffentlicht wurde.

A. Bishrige Regelung :

Nach Opinio 4 gewinnt ein MS.-Name nur dann Status in der Nomenklatur, wenn er nach Art. 25 der "Regeln" entsprechend veröffentlicht wurde. Der Kongress Paris 1948 beauftragte die INK. sur untersuchen and zur Entscheidung auf dem Kongress Kopenhagen 1953 vorzulegen die Frage wie die typische Art für ein MS.-Genus festzulegen ist, wenn dieses in der Synonymie eines vorher beschriebenen erstmal veröffentlicht wurde. Dies bzieht sich nur auf die Zeit vor dem 1. 1. 31, da von diesem Datum ab entsprechend der Entscheidung des Kongress Budapest 1927 der erweiterte Art. 25 für die "Kennzeichnung" in Kraft ist.

B. Zwei Ansichten :

1. Ansicht : Ein *MS.-Name* ist ein *nomen nudum* und kann erst dann und von dem Zeitpunkt an nomenklatorischen Status erhalten, wenn er später genuss Art. 25 rite veröffentlicht worden ist.

2. Ansicht : In der *Synonymsetzung* ist eine *gültige Kennzeichnung* gemäss Art. 25 zu sehen.

C. Fragen :

(1) Soll ein vor 1931 in einer Genus-Synonymie erschienener Genusname als rite veröffentlicht gelten ?

Der Kongress hat diese Namen als in der Nomenklatur existent angesehen und will nur die Frage klären, welche Art als Typus des Genus anzusehen.

(2) Da sich die gleiche Problematik auch für die Arten in Synonymielisten ergibt, sollen MS. Gattungen und Arten in Synonymien als nomenklatorisch berechtigt angesehen werden.

(3) Ist es in einer Gruppe üblich gewesen, dass MS.-Genusnamen oder frühere Nomina nuda akzeptiert wurden, wenn sie erstmals in einer Gattungs-Synonymie veröffentlicht worden sind? In welchen Gruppen?

(4) Wenn ja, ist man dafür, dass diese Annahmen durch die "Regeln" festgelegt werden?

(5) Wenn nein, ist man dafür, dass diese Namen keinen Status in der Nomenklatur erhalten sollen, auch wenn infolgedessen Instabilität eintritt?

(6) Wenn Genusnamen durch Veröffentlichung in Synonymien Status erhalten, welches soll dann die typische Art für diese bisherigen MS.-Genera sein? Zwei Möglichkeiten:

- (a) Typische Art des Genus wird automatisch die Art, die Typus des Genus ist, in der das MS.-Genus als Synonymie auftritt.
- (b) Aus allen bei der Synonymierung angeführten Arten ist der Typus des Genus auswählbar, ohne Berücksichtigung der Tatsache, dass für das Genus, zu dem das MS.-Genus synonymgesetzt wurde, bereits ein Typus ausgewählt wurde.

Ist eine der beiden Möglichkeiten in einer Gruppe schon einmal verwirklicht? In welcher?

D. Sicherungs-Klauseln müssen in die "Regeln" eingebaut werden, dass durch Anrufung der INK. Ausnahmen vorgenommen werden, wenn die Stabilität gefährdet ist.

Welche Vorschrift kann am besten Instabilität verhindern?

DOCUMENT 6/10

By C. W. WRIGHT (*London*)

Enclosure to a letter of 18th May, 1952

SUBSTITUTE NAMES. (Z.N.(S.) 361)

I do not believe that this case is quite so straightforward as it is presented to be.

There are in the literature a large number of cases where trivial names are genuinely proposed as "*nomina nova*" for other trivial names, e.g. a new name for a homonym. To deal first with this simple case, I am of the opinion that where "*b-us*" is proposed as a *nomen novum* for an invalid "*a-us*", whether or not other specimens of the same species (or presumed to be) are figured at the time of the new proposal, the holotype of the new nominal species must be the holotype of the one that is being replaced.

On the other hand the vast majority of trivial names that are established allegedly as *nomina nova* are in fact "new species". That is, "*b-us*" nov. is not strictly a "nom. nov." for "*a-us*", whatever its author may say, because "*a-us*" remains a valid species, while "*b-us*" is a new species based, wholly or partly, on specimens misidentified by a previous author as "*a-us*". Certainly in the field of ammonites there are many instances of trivial names, treated by their authors as *nomina nova*, which are e.g. "nom. nov. for *Ammonites a-us* Smith, 1890 non Jones, 1880". I imagine that the instances quoted by Dr. Arkell from Maire are of this nature.

Such cases cannot to my thinking be treated in the same way as the simple ones first mentioned. In my own experience there are cases of this type in which the figure of the earlier author whose determination is being corrected is adequate for proper interpretation of the taxonomic species concerned, while the supplementary figure by the author proposing the new name is not. Equally there are cases where the reverse is true and the figure of the later author alone gives an adequate idea of the nature of the new species being set up, although it may be certain or reasonably certain that the species figured by the earlier author is taxonomically the same.

In all such cases it seems to me the provisions of Article 31, as revised, must be allowed to apply. It would be carrying the interests of history too far to insist for example on the selection of type specimen of “*b-us* Smith, 1890” from poor material figured as “*a-us*” by Jones, 1880 instead of from Smith’s admirable material from a different locality, just because the trivial name “*b-us*” referred to Jones or to his locality and was, incorrectly, called “nom. nov.”

The same considerations apply to cases where trivial names are published as implicit substitutes for incorrect use of other names.

The use of the earlier author’s patronymic for the later author’s species is entirely unimportant in view of the large number of irrelevant or now meaningless dedications of species to individuals. There may be some slight confusion due to a case such as the retention of the trivial name *americanus* for a species which is not now thought to occur in America, but many other types of misleading names are rightly treated as valid.

Briefly, where a trivial name is genuinely a *nomen novum*, that is, a replacement name for an invalid trivial name, the type specimen of the new nominal species must be whatever is the type specimen of the nominal species being replaced. Where a trivial name, though stated by its author to be a *nomen novum*, is in fact not a replacement name but the name of a species now newly separated, Article 31 must apply.

DOCUMENT 6/11

By **ERICH M. HERING** (*Abteilungsleiter am Zoologischen Museum der Humboldt-Universität zu Berlin*)

Statement received on 7th June, 1952

**STELLUNGNAHME ZU DEN VORSCHLÄGEN ÜBER DIE BEHANDLUNG
VON ARTNAMEN, DIE GLEICHZEITIG ZUR BEICHNUNG SOWOHL EINER
ART WIE AUCH ALS ERSATZ DES NAMES EINER ANDEREN ART
VERÖFFENTLICHT WURDEN**

Zu den in *Bull. zool. Nomencl.* vol. 7, Pt. 4, p. 119–129 geäußerten Vorschlägen hat sich der Stab der Zoologen sowohl des Museums Berlin wie auch nach Mitteilung von Dr. Walter Forster von der Zoologischen Sammlung des Bayerischen Staates der 12 befragten Mitgliedern des Museums München wie folgt entschieden :

In einem solchen Falle ist der betreffende Name als für die Bezeichnung eines Arten-Gemisches verwendet anzusehen ; die Entscheidung trifft der erste auswählende Autor. Sicherungsklauseln zur Erhaltung der Stabilität sind notwendig.

Mit 14 von 14 Mitgliedern des Museums Berlin wird der Zwang zur Auswahl eines Lektotypus einer solchen Art nach der Lokalität, die etwa ein solcher Name bezeichnet, *abgelehnt*.

DOCUMENT 6/12

By **CURTIS W. SABROSKY** (*United States Department of Agriculture, Agricultural Research Administration, Bureau of Entomology and Plant Quarantine, D.C., U.S.A.*)

Enclosure to a letter dated 9th July, 1952

PROBLEM ON SUBSTITUTE NAMES [Z.N.(S.) 361]

It seems to me that in cases where an author has clearly proposed a substitute name for a homonym, there can be only one nomenclatural conclusion: the substitute name replaces the homonym and takes the same type as the latter (choice "c" in paragraph 13, pp. 127-128). Misidentification, *i.e.*, misapplication of the substitute name, does not overrule the fact that the author recognized the existing homonymy and took a step to correct it.

I am not sure from the evidence presented that Dr. Arkell's cases (both paragraphs 8 and 15) are relevant. In paragraph 8 there is no mention of a preoccupied name that is being replaced by *Quenstedtoceras douvillei*. Merely stating that a name is a "nom. mut." or "nom. nov." does not automatically make it a substitute name, as I understand the latter term. If one discovers a misidentification, concludes that the misidentified species is actually new and unnamed, and names it, he has not proposed a substitute name, from the standpoint of nomenclature. It is a new species. In other words, I disagree with adding the expression "or for some incorrect use of such a name" to the statement of part (a) on page 122.

Both here and in part (b), I believe that such names rest upon the descriptions or figures upon which they are based, either new or previously published.

DOCUMENT 6/13

Statement of the views of the
**COMMITTEE ON NOMENCLATURE OF THE AMERICAN MUSEUM OF
NATURAL HISTORY, NEW YORK**

Enclosure to a letter, dated 10th July, 1952, from

DR. JOHN T. ZIMMER, Chairman.

(For an extract from the above letter, see Document 1/41)

N.Z.(S.) 361. A specific ("trivial") name applied to particular specimens but stated to be a substitute name for some previously published name. We recommend approval of a statement that any such substitute name is automatically synonymous with the earlier name and has the same type, regardless of whether a new type is proposed for the new name, or whether a redescription is given.

A curious problem is presented of a new species based partly on previously published [but unnamed] descriptions and partly on new material but without designation of a holotype, although named after the original author or the locality from which his, but not the new, material was obtained. If a "lectotype" is to be selected, should it be necessarily from the original author's material or his original named locality? We have no decided opinions. Presumably no such restrictions should be demanded, although if the name of the new form is based on a definite locality, it might be desirable to have the lectotype from the same locality.

A.M.N.H. Committee on Nomenclature

(signed) **EDWIN R. COLLETT**

JOHN T. NICHOLS

ERNST MAYR

GEORGE H. H. TATE

JOHN T. ZIMMER (*Chairman*)

DOCUMENT 6/14

By **HENNING LEMCHE** (*Universitetets Zoologiska Museum, Copenhagen*)

Extract from a letter dated 20th July, 1952

On your interesting and exhaustive comments [in vol. 7 of the *Bull zool. Nomencl.*] on double indications (Z.N.(S.) 361) . . . I have no comments.

DOCUMENT 6/15

By **E. RAYMOND HALL** (*University of Kansas, Department of Zoology,
Lawrence, Kansas, U.S.A.*)

Enclosure to a letter dated 22nd July, 1952

Follow the name replaced.

DOCUMENT 6/16

Statement of the views of certain members of the
**NOMENCLATURE COMMITTEE OF THE SOCIETY OF SYSTEMATIC
ZOOLOGY**

Letter, dated 26th July, 1952, with enclosures,
from Dr. W. I. FOLLETT, Chairman

**SUBSTITUTE NAME APPLIED TO PARTICULAR SPECIMEN ;
Z.N.(S.) 361**

I enclose herewith copies of comments on this subject, received from members of the Nomenclature Committee of the Society of Systematic Zoology.

Dr. Ellsworth C. Dougherty, who is also a member of this committee, submitted a paper entitled "The Application of a Trivial Name which, when First Published, Is Applied to a Particular Species or Specimen, but Which is Stated Also to Be a Substitute Name for Some Previously Published Name", at the recent symposium conducted by the Pacific Section of the society. Unfortunately I have mislaid my copy of Dr. Dougherty's paper, but I am informed that he has furnished you with a copy, for publication in the *Bull. zool. Nomencl.**

*Note by the Secretary : At the time of the receipt of Dr. Follett's letter of 26th July, I had not received any paper from Dr. Dougherty on this case, but later I received from him a letter dated 3rd October, 1952, with which he enclosed a paper dealing both with this subject and with the problem of a species to be recognised as the type-species of a nominal genus, the name of which was first published in a generic synonymy. This document is annexed to the present series as Document 6/19.

Annexe 1 to Dr. Follett's letter of 24th July, 1952

Extract from a letter dated 20th May, 1952 from **HENRY TOWNES** (*North Carolina State College of Agriculture and Engineering of the University of North Carolina, Raleigh, North Carolina, U.S.A.*)

(5) I would suggest that the type would depend on how the new name was proposed : (1) as a simple substitution or (2) as a name for certain specimens, which application would make it a substitution.

Annexe 2 to Dr. Follett's letter of 24th July, 1952

Statement furnished by **JOHN T. SIMMER**

(*The American Museum of Natural History, New York*)

361. Specific ("trivial") name applied to particular specimens but definitely stated to be a substitute for an earlier name should be automatically synonymous with such earlier name ; regardless of a possible attempt to propose another specimen as type of the new name, the type remains that of the older name.

DOCUMENT 6/17

By **J. CHESTER BRADLEY** (*Cornell University, Ithaca, N.Y., U.S.A.*)

Statement received on 30th July, 1952

COMMISSIONS REFERENCE [Z.N (S.) 361]

The situation will be clarified if we accept the following postulate :

Case (a), where a trivial name stated to be a substitute for another name, but at the same time is based on particular specimens

A trivial name is not an objective substitute for another trivial name unless it is defined by the same holotype, lectotype, or neotype.

When an author proposes a new name as a substitute for a previously existing name without any qualification, that name automatically acquires the same holotype, lectotype or neotype as the earlier name. (If the earlier name has only syntypes, these are syntypes of the substitute name but neither is objectively defined until a lectotype or neotype is chosen.)

When an author in proposing a new name states that it is a substitute for a pre-existing name, but at the same time qualifies it in such a way as to preclude its holotype or syntypes from being the holotype or syntypes of the pre-existing name, he has as much contradicted himself as though in describing a species he had said that its head bore dense setae and elsewhere had said that the head of the holotype was devoid of setae.

In such a case, one of three courses is logically open :—

- (a) To consider that the statement that the name is proposed as a substitute for a specified pre-existing name takes precedence over any and every qualifying statement, and that the holotype (or lectotype or neotype if or when established) of the pre-existing name is also that of the substituted name. (This is the result attained from solution C of the Secretary's paragraph 13.)

- (b) To consider that the author of the later name in reality established a new species, based on such holotype or syntypes, or other material as he may have indicated, and that his statement that it was a substitute name for the specified pre-existing name was a wholly subjective opinion. In such a case what the author meant to do was to create a new nominal species which he subjectively considered to be a junior synonym of the pre-existing nominal species, but believed to be a name which would replace the older name on the grounds that the latter was pre-occupied by a still older homonym. Whether he was correct or not is immaterial but the name would not have the nomenclatorial status of a substitute name.
- (c) To consider that the author has so completely contradicted himself as to nullify all grounds for accepting the name as validated under Article 25, and therefore to assign it to the status of a *nomen nudum*.

While any of these three courses could apply, the rules should specify which one is to apply.

To me the last course, Course (c), would appear the most objectionable. The second course, Course (b), would in effect strike out the word "new name" and substitute "new species (or sub-species)". It would seem to me the most desirable course, because it would almost always most closely interpret the intent of the original author. It is quite clear that the author in any such case was really describing and naming the material before him, and that it was his subjective misinterpretation of an older name that led him into the error of supposing that his new name would supplant the older one, and therefore to the quite untenable conclusion that his name was a substitute name for the other. The first course, Course (a) (one of the three suggested as possible by the Secretary) would be arbitrary but not really objectionable if it were found that it had actually been the one most often applied in such cases. Even if it would not interpret the author's intent so closely as Course (b), that is of less importance than to prevent disturbance.

The Secretary has pointed out weaknesses inherent in the solutions that he numbered (1) and (2), and it appears to me that they must be rejected.

In an accompanying paper* on Article 31, I have shown that there is no such thing as an objectively composite species, it is at most merely subjectively so until it is objectively defined, and such objective definition when once attained must be projected back to its origin. Once it has been objectively defined, which occurred at the outset if it had a holotype, any other specimens, paratypes or not that were subjectively erroneously (in later opinion) associated with it were merely misidentified specimens. To introduce this confusion of a composite species into the present case would make a bad matter worse, and be actually vicious.

* See Case No. 46, Document 46/1.

The Secretary also raises serious objections to his Course (2), put forward by Dr. Hinton. This solution appears to me far-fetched and so tenuous in its logic that it would probably be misapplied by a large proportion of authors who might try to follow it. There is no need for it and I should emphatically reject it.

Case (b), where a trivial name when published is applied to given specimens and implicitly treated as a substitute name.

It seems to me that propositions (1) and (2) in paragraph 17 should be opposed ; but I should not object to a *Recommendation* to the effect suggested, provided some such qualification be added as "in the absence of strong contraindication".

It is quite possible that the second author in such a case based his description on material before him, and that the material or figures of the older species were only brought in by subjective misidentification. In such case selection of a lectotype from the types or figures of the older nominal species would be strongly contraindicated, and a mandatory provision requiring it would be very objectionable.

In connection with this whole matter of substitute names, certain procedures should be suggested to authors :

- (1) that where they wish merely to replace a preoccupied name, that it be done without any qualification as to the characters of the nominal species involved ;
- (2) that where it becomes necessary to discuss the characters of the taxonomic species in the same paper in which the substitute name is proposed, the author should make it clear that he is either (a) discussing the type material of the earlier nominal species or (b) discussing his subjective interpretation of that species, and that he is definitely *not* setting up any different types for the substitute name and no description that could in any way take precedence as concerns that name over the type and description of the name being replaced. Probably this could still better be covered by a mandatory provision to the effect that, after 1953, any name proposed with the statement that it is a substitute name for or a new name to replace a previously existing name, has automatically the same type material as the name that it supplants, notwithstanding any contrary statement made by its proposer, or any incompatible description that he may publish.

It should also be called to attention in a *Recommendation*, that if the author's desire is primarily to publish on certain material that he has studied, which he subjectively identifies with a previously described species bearing a preoccupied name, that the correct course is to describe his material as a new species ; then to cite the preoccupied name as a senior (but unavailable because pre-occupied) subjective synonym.

While the whole discussion has been in terms of trivial names, exactly the same principles apply to generic names which should be covered at the same time.

Genus *A-us* Brown 1800 has its type-species "z", (or subsequently has its type species selected to be "z"), but is a homonym of *A-us* Black 1775. In 1850 *A-us* Brown is replaced by the new name *B-us* White, with no statement of type species. Under Article 21f the type-species of each nominal genus is *A-us* z.

If *B-us* White 1850 is established both as a substitute for *A-us* Brown 1800 (nec Black 1775) and assigned the type-species "z", no type-species having been established for *A-us* Brown, then that fact establishes "z" as type-species also of *A-us*, under the same rule.

But if z had been the established type-species of *A-us*, and *B-us* was established as a substitute name with the statement that its type-species is "x"; or if *A-us* had not had any type-species established and *B-us* was established as a substitute name with the designated type-species "x", and "x" for any reason was a species not available to become type of *A-us*, then the present *Règles* are silent as to what is to be done. In such case precisely the same contradiction has come about as in the case of trivial names that have been under discussion.

I suggest that provisions be made to cover such cases in the same way as proposed above for species, namely :

- (1) So far as past cases are concerned to rule that the statement of type-species defined objectively the generic name, and that if a type-species was designated, the additional statement that the new name was a substitute for a pre-existing name represented nothing more than the subjective belief of the author that the two are taxonomic synonyms, and
- (2) So far as future cases are concerned, to rule that the statement that a generic name is proposed as a new name or substitute name to replace a pre-existing name, is to definitely assign to it the same type-species as that of the older nominal genus, notwithstanding any contrary statement made by its author, or any incompatible description that he may publish.

DOCUMENT 6/18

By **K. H. L. KEY** (*Commonwealth Scientific and Industrial Research Organisation, Division of Entomology, Canberra, Australia*)

Extract from a letter dated 4th September, 1952

(Note :—The main portion of the above letter was concerned with the problem of the emendation of names, on which a separate paper has been submitted by Dr. Key and which constitutes Document 5/26 of the Copenhagen Series.)

I have studied your proposals in connection with the other six questions referred to you by the Thirteenth Congress, and in general I find myself in hearty agreement with them.

DOCUMENT 6/19

By **ELLSWORTH C. DOUGHERTY** (*Department of Zoology, University of California, Berkeley, California, U.S.A.*)*

Enclosure to a letter dated 3rd October, 1952

PROBLEMS OF NOMENCLATORIAL PRACTICE NOW UNDER CONSIDERATION BY THE INTERNATIONAL COMMISSION : SECRETARY FRANCIS HEMMING'S FOURTH AND FIFTH PROBLEMS†

The problems here under consideration are respectively :

- (i) The species to be accepted as the type species of a nominal genus, the name of which was first published in a generic synonymy ; and
- (ii) The application of a trivial name which, when first published, is applied to a particular species or specimen, but which is stated (or implied) also to be a substitute name for some previously published name.

The foregoing two problems are relatively minor ones, but provide a useful opportunity for examining certain Articles in the *Règles* more critically. It is my feeling that both can be solved quite simply by extending to them the application of these Articles. In neither case has Secretary Hemming in his respective papers on these problems (in part 4 of volume 7 of the *Bull. zool. Nomencl.*, 1952) raised the specific points that I am presenting here.

2. In my own systematic work I have never found it necessary to decide a case in either category. What I have to say, therefore, is in the nature of a theoretical evaluation of the problem.

3. It seems logical that, wherever possible, problems not explicitly or clearly soluble under the existing *Règles* (even as extensively emended at Paris) should be examined with the aim of finding, in the already established body of nomenclatorial law, principles that can be extended to cover the problems in question. It seems likely to me that such will in most cases accord best with general practice, for it is reasonable to suppose that the majority of workers have been guided in this way. At the same time it must be recognized that wherever ambiguities or inadequacies exist in the *Règles* (and there have been

* Research Fellow of the American Cancer Society (as recommended by the Committee of Growth of the National Research Council, 1949-1952.)

† *Ed. Note.* These problems have since been renumbered and are now Cases 6 and 7 respectively.

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many, of which only a part have as yet been resolved), differences in interpretation and procedure undoubtedly have arisen. Therefore, it will probably be necessary, after any new concept is formally established, that the International Commission review a certain number of cases where the new ruling would create unjustified confusion.

A. The species to be accepted as the type species of a nominal genus, the name of which was first published in a generic synonymy.

4. As Secretary Hemming has pointed out in his paper, this question can arise only in connection with generic names published before 1st January, 1931. He has actually put two questions to zoologists: first, whether a nominal genus should have any availability at all from the date on which it was first published in the synonymy of a previously published name; and, second, whether, in the event that the answer to this first question is yes, one should "(a) treat, as type-species of the genus concerned, the species (whatever it may be) which is the type-species of the nominal genus, with the name of which the generic name under consideration was synonymized at the time when it was first published, or (b) . . . regard, as eligible for selection as the type-species of such a genus all the species cited on the occasion when the generic name was first published in the synonymy of another generic name".

5. In connection with the first of the foregoing two questions I take the view that a generic name published in a generic synonymy is automatically provided with an "indication" in the sense of Article 25 and should therefore be available for nomenclatorial purposes.

6. As regards the second question I propose a solution which I have suggested in a paper now in press in the *Bull. zool. Nomencl.**. This involves the treatment of generic names first published in a generic synonymy as falling under the scope of Article 35, rule (f). The latter rule states (in the currently used English text): "In case a generic name without originally designated type is proposed as a substitute for another generic name, with or without type, the type of either, when established, becomes *ipso facto* type of the other."

7. Secretary Hemming has discussed this rule in a recent paper in part 2 of volume 6 of the *Bull. zool. Nomencl.* (1952, pp. 45-48). He has pointed out that it is ambiguous in certain respects and has proposed that it be redrafted to read: "In case a generic name without originally designated type is expressly published as a substitute, for some specified generic name of older date with or without type, the type of either, when established, becomes *ipso facto* type of the other."

8. I have perceived still another defect in rule (f), which I have set out in the paper mentioned. From paragraph 8 of this paper it may be seen that the publication of a generic name for the first time in a generic synonymy might be conveniently regarded as tantamount to the express publication of that name as

* See Case No. 43, Document 43/1.

a substitute for the earlier generic name, in the sense of Mr. Hemming's redrafted Article 30, rule (f); it would then follow that any limitation to be placed on the species eligible for selection as type of a substitute genus should apply to the special case of generic names originally published in generic synonymies. Thus, in effect, I agree with the first of Mr. Hemming's alternative proposals, namely that one should "treat, as type-species of the genus concerned, the species (whatever it may be) which is [or is selected to be] the type species of the nominal genus, with the name of which the generic name under consideration was synonymized when it was first published."

9. Since writing my paper on Article 30, rule (f), I have come to recognize a further difficulty with this rule upon which neither Secretary Hemming nor I have commented. It occurs to me that under certain circumstances it may be difficult to apply this rule even though ostensibly it would be invocable within the restrictions imposed by both Mr. Hemming's and my proposed emendations. There are certainly situations where a given author may specifically propose a generic name as a substitute for some specified generic name of older date (and this would, on my interpretation, include generic names first cited in synonymy of an earlier genus), yet where the later generic name would clearly apply to quite a different generic concept because, in an extreme case, of previous elimination of all the species included in the original nominal genus. Thus, there might arise a situation where the later generic name would be quite inappropriate as a substitute for the earlier nominal genus—by reason, for example, of its etymology, which might connote attributes not possessed by the species or group of species, to which, perforce, it would have to apply.

10. In answer to this objection may be cited Article 32, which reads "A generic or a specific name, once published, cannot be rejected, even by its author, because of inappropriateness." With this concept already firmly established in the *Règles*, the foregoing argument loses much of its force.

11. In conclusion, therefore, it is my feeling that a simple and desirable solution to the problem of determining type-species for nominal genera first published in generic synonymies would be to construe them as falling under the provisions of Article 30, rule (f), as clarified and restricted by Secretary Hemming and by me.

B. The application of a trivial name which, when first published, is applied to a particular species or specimen, but which is stated (or implied) also to be a substitute for some previously published name.

12. It is obvious that a problem arises in this connection only when there are more than one species involved—that is, where the specimens on which the description in question is based belong in whole or in part to a different species from that for which the name is proposed as (or implied) to be a substitute. This point is implicit in Mr. Hemming's discussion, but is not clearly stated by him.

13. He proposes three possible solutions: "(a) a ruling that a nominal species [so] established is to be treated as a composite species and therefore that the species to which the new trivial name is to adhere should be a matter for determination under Article 31 [the first reviser principle]; (b) a ruling that in such a case two nominal species, bearing identical specific names (*i.e.*, identical combinations of generic name and specific trivial name) are to be deemed to have been established, one of these names to be held to apply to the species bearing the rejected specific name, the other to the species described under the new name, the relative priority to be accorded to these two homonyms to be determined in accordance with the procedure laid down for determining the relative priority to be accorded to any pair of names published in the same book and on the same date; (c) a ruling that the new specific name in question is to be treated as applying automatically to the species bearing the rejected name (*i.e.*, that such a name should be treated strictly as a substitute name), the other use of the new name being treated as having been due to a misidentification on the part of the author concerned."

14. Mr. Hemming favors the third of these solutions. His reasons are good ones, and I find myself in essential agreement. I will not review them here.

15. I should like, however, to fortify Mr. Hemming's stand by pointing out that this third solution is most in harmony with a part of Article 31 (the second sentence, which, according to a Paris decision, is to be incorporated into an otherwise much emended Article). This sentence reads "... a specific [trivial] name which undoubtedly rests upon an error of identification cannot be retained for ... [a] ... misdetermined species even if the species in question are afterwards placed in different genera."

16. There is a close parallel here between the problem under discussion and the situation described in the quoted sentence. In both cases a misidentification of two (or more) species is involved, but in one case an author finds it necessary to propose a new name. By analogy with the sentence in Article 31 the new name would follow the earlier species—that is, could not "be retained for ... misdetermined species."

17. Mr. Hemming has also raised the question as to how to handle the subsidiary situation whereunder a new trivial name is implicitly applied on the basis of objective criteria as a substitute for an earlier name (as by the use of an earlier author's name or the locality of his type material in forming the new name) and at the same time applied to new material belonging to a different species. He seeks the advice of specialists as to whether the name should apply only to the earlier material. In my opinion such names should be so restricted.

18. In conclusion, I repeat my advocacy of Mr. Hemming's third solution to the general problem under consideration: namely, that a new specific name which, when first published, is applied to a particular species or specimen, but which is stated (or clearly implied) to be a substitute for some previously published name, is to be treated as applying automatically to the species bearing the rejected name.

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Triple-Part 3/5 (Emendation of names)

It had been intended to publish the present Part simultaneously with Triple-Part 3/5 (containing the series of documents received in regard to the problem of the emendation of names). That Part (pp. 61-166) is now in the press but technical production difficulties render it unlikely that it will be possible to publish it until a few days after the publication of the present Part.